

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 3:14-cr-00111-HTW-FKB-2

CECIL MCCRORY

ENTRY OF GUILTY PLEA

BEFORE THE HONORABLE HENRY T. WINGATE
UNITED STATES DISTRICT JUDGE
FEBRUARY 25, 2015
JACKSON, MISSISSIPPI

APPEARANCES:

FOR THE GOVERNMENT: MR. D. MICHAEL HURST

FOR THE DEFENDANT: MR. CLARENCE M. LELAND, JR.

REPORTED BY: CHERIE GALLASPY BOND
Registered Merit Reporter
Mississippi CSR #1012

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1 THE COURT: Call your case.

2 MR. HURST: Yes, sir, Your Honor. Good afternoon.

3 THE COURT: Good afternoon.

4 MR. HURST: *United States v. Cecil McCrory*, criminal
5 number 3:14CR111. Your Honor, we're here today for a guilty
6 plea hearing, and Mr. McCrory is represented by Don Leland.

7 THE COURT: All right. Will counsel and his client
8 approach the podium. Good afternoon, Mr. McCrory.

9 MR. LELAND: Good afternoon, Judge.

10 THE COURT: You are with your client, Mr. McCrory?

11 MR. LELAND: Yes, sir.

12 THE COURT: You're Mr. McCrory?

13 THE DEFENDANT: I am.

14 THE COURT: Mr. McCrory, I understand you want to
15 enter a plea of guilt. Is that correct?

16 THE DEFENDANT: That is correct.

17 THE COURT: And I understand, Mr. McCrory, that you
18 wish to enter a plea of guilty to Count 23 of the indictment.
19 Is that correct?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: I need to ask you some questions which
22 must be answered under oath and truthfully so now I'll have you
23 sworn.

24 (Defendant Sworn)

25 THE COURT: Mr. McCrory, were you here during the

1 taking of Mr. Epps' plea?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: So then you heard the questions I asked of
4 him?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: I will ask similar questions of you so I'm
7 just put you on notice. All right?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Now, is there anything about the questions
10 that I asked him about which you have some questions?

11 THE DEFENDANT: No, sir.

12 THE COURT: Or some misunderstanding?

13 THE DEFENDANT: No, sir.

14 THE COURT: Now, I'm going go over the same questions
15 because I have to, but I just try to inquire at this early
16 stage whether there's something I need to go over with you in
17 particular. Is there?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: So you're telling me there's nothing?

20 THE DEFENDANT: No, sir, nothing.

21 THE COURT: All right. Now, you understand that you
22 are under oath. And so if you are caught telling a lie, then
23 you could be prosecuted for perjury. You understand that?

24 THE DEFENDANT: I do.

25 THE COURT: You know what perjury is?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: How old are you?

3 THE DEFENDANT: 63.

4 THE COURT: How much schooling have you had?

5 THE DEFENDANT: High school and one year of junior
6 college.

7 THE COURT: And where did you go to high school?

8 THE DEFENDANT: Brandon.

9 THE COURT: All right. And then your year of junior
10 college?

11 THE DEFENDANT: At Hinds.

12 THE COURT: At Hinds?

13 THE DEFENDANT: Yeah.

14 THE COURT: Did you complete that year?

15 THE DEFENDANT: The one year I did, yes, sir.

16 THE COURT: Then you can read and write?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Have you taken any drugs of any kind,
19 prescription drugs or nonprescription drugs, or consumed any
20 alcoholic beverages within the last 24 hour?

21 THE DEFENDANT: No alcohol. I've taken prescription
22 drugs.

23 THE COURT: And what have you taken prescription drugs
24 for?

25 THE DEFENDANT: Blood pressure, cholesterol.

1 THE COURT: Is that the only drug you've taken?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: And when did you take it?

4 THE DEFENDANT: Took cholesterol last night and blood
5 pressure this morning.

6 THE COURT: And what effect did those drugs have on
7 you?

8 THE DEFENDANT: None other than they maintained my
9 blood pressure.

10 THE COURT: All right. Do they compromise your
11 ability to understand what is happening?

12 THE DEFENDANT: No, sir.

13 THE COURT: Have you ever been treated by any doctor,
14 psychiatrist, or psychologist or in any hospital, clinic, or
15 mental institution for any mental disease or disorder?

16 THE DEFENDANT: No, sir.

17 THE COURT: In order to enter a valid plea today, you
18 must be mentally competent. That means you able to understand
19 what is happening here today. It also means you're able to
20 appreciate the seriousness of this hearing to your future, and
21 it also means that you're able to consult with your attorney
22 and to understand his advice to you. So under this definition
23 of competence, are you competent right now?

24 THE DEFENDANT: Yes.

25 THE COURT: Now I need to ask you whether you were

1 competent on the date that's charged in Count 23 of the
2 indictment. Count 23 alleges that you committed the crime
3 that's charged therein from in or about 2007 through in or
4 about March 12, 2014. That is, that you committed the crime
5 that's charged against you which is drawn under Title 18 United
6 States Code Section 1956(h). Now, are you aware of what you're
7 charged with in Count 23?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Have you read thoroughly that particular
10 accusation?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: And when is the last time you read it?

13 THE DEFENDANT: Yesterday.

14 THE COURT: And how many times would you say you've
15 read it?

16 THE DEFENDANT: Two, maybe three.

17 THE COURT: Okay. Do you have any questions about
18 what it says?

19 THE DEFENDANT: No, sir.

20 THE COURT: With regard to the date you are charged
21 with, did you pay attention to those dates?

22 THE DEFENDANT: I did.

23 THE COURT: Are you saying that you do understand that
24 the prosecution says that you committed these crimes during
25 these particular dates? My question to you concerns your

1 competency during these particular dates. During these
2 particular dates, did you know the difference between right and
3 wrong?

4 THE DEFENDANT: Yes, I did.

5 THE COURT: Did you know that what is charged in Count
6 23, in fact, was wrong?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Let me turn to counsel. Counsel, do you
9 raise any questions concerning your client's competence?

10 MR. LELAND: No, sir.

11 THE COURT: What about the prosecution? Do you raise
12 any objections concerning Mr. McCrory's competence in any
13 respect?

14 MR. HURST: We do not, Your Honor.

15 THE COURT: No one raises any objections concerning
16 the competence of Mr. McCrory, neither the defendant himself
17 nor his lawyer nor the prosecution. The court has inquired and
18 is satisfied that Mr. McCrory understands the difference
19 between right and wrong, that on the date charged in Count 23
20 he was competent. The court is further persuaded that at this
21 time he is competent to a plea of guilty. Now, the law
22 requires that you be adequately and competently represented by
23 your lawyer. Have you had enough time to discuss your case with
24 your lawyer?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Are you satisfied with the amount of time
2 he's spent with you?

3 THE DEFENDANT: I am.

4 THE COURT: Are you satisfied with his advice to you?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: If you have any complaints about the way
7 he has handled your case, you need to tell me now. Do you have
8 any complaints about the way he has handled your case?

9 THE DEFENDANT: No, sir.

10 THE COURT: Now, I will talk to you about your rights.
11 Under the constitution and laws of the United States, as a
12 criminal defendant you have certain rights. I'm sure your
13 counsel has gone over these rights with you, but I have to be
14 sure that you understand and know these rights. You have a
15 right to a trial by jury. You have a right to ask for a trial
16 before the bench.

17 If you ask for a trial before the bench and if it's
18 granted, then only I will serve as the judge of the law as well
19 as the judge of the facts. If you ask for a trial by jury,
20 then we will impanel a jury from the community randomly drawn
21 and then go through a process in which you will participate
22 through your attorney, the prosecution, and this court in
23 selecting 12 persons to serve on that jury. Are you aware of
24 this kind of proceeding?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: So then we will have a jury. And as I
2 said, you will have involvement in the selection process by way
3 of your attorney. And then once that jury is impaneled and
4 sworn, then that jury will be the ones to determine whether you
5 are guilty or not guilty under the evidence. Do you understand
6 that?

7 THE DEFENDANT: I do.

8 THE COURT: Do you further understand that the number
9 of persons who will serve as your jury will be 12 persons? Do
10 you understand that?

11 THE DEFENDANT: I do.

12 THE COURT: Do you understand that the vote would have
13 to be unanimous? Do you understand that too?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Do you further understand that the
16 prosecution would have the burden of proof because you will be
17 presumed to be innocent? Do you understand that?

18 THE DEFENDANT: I do.

19 THE COURT: Then the prosecution in order to prevail
20 on the charge against you would be required to persuade the
21 jury by proof beyond a reasonable doubt that you are guilty as
22 charged in Count 23. Do you understand that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: If the prosecution does not persuade the
25 jury, then the jury should vote not guilty. Do you understand

1 that?

2 THE DEFENDANT: I do.

3 THE COURT: You would have no obligation to prove
4 anything because you are the defendant and our system of
5 justice does not require you to present any evidence if you do
6 not wish to do so. Do you understand that?

7 THE DEFENDANT: I do.

8 THE COURT: So then the burden would be on the
9 prosecution to prove that you were guilty of proof beyond a
10 reasonable doubt. You'll be presumed to be innocent, and you
11 would not have to prove anything. Do you understand that?

12 THE DEFENDANT: Yes.

13 THE COURT: Now, the government in seeking to prove
14 the case would have to put on some kind of evidence, and
15 evidence can be in the form of witness testimony. It can be in
16 the form of documents received into the record as exhibits or
17 it can be in the form of stipulations or in the form of
18 instructions from the court on the matter of evidence. But
19 however the government proceeds, it would have to produce
20 evidence, and that evidence would have to be sufficient to
21 convince the jury by proof beyond a reasonable doubt that you
22 are guilty. Do not understand that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Do you understand that the prosecution in
25 calling witnesses will have them on direct examination and then

1 your counsel can cross-examine?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Do you understand that if the prosecution
4 presents exhibits, that you have a right to object to those
5 matters and I will rule on whether they are prudent for a jury
6 to see? Do you understand that?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: And do you understand again that the jury
9 would have to vote whether you are guilty or not guilty after
10 receiving all of the evidence and reach its decision by
11 unanimous verdict? Do you understand that?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Now, I said that you don't have to prove
14 anything. And on the other hand, the prosecution has to prove
15 its case against you by proof beyond a reasonable doubt. But
16 do you understand that if you wish to produce evidence that you
17 could do so?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: That you could call witnesses, that you
20 could submit exhibits? Do you understand that?

21 THE DEFENDANT: Yes.

22 THE COURT: That you could have the same prerogative
23 on submitting evidence that the prosecution has? Do you
24 understand all of that?

25 THE DEFENDANT: I do.

1 THE COURT: Do you understand if you elect not to
2 submit any evidence, I would advise the jury that the jury
3 couldn't hold that against you because you have a right to
4 remain silent? Do you understand that too?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: On the other hand, if you were to submit
7 evidence or submit testimony in your behalf, I would advise the
8 jury that the jury could not disbelieve your evidence or your
9 testimony simply because you are the defendant. Do you
10 understand that?

11 THE DEFENDANT: Yes.

12 THE COURT: So then with regard to your opportunity to
13 present evidence that you could call witnesses, you could
14 produce exhibits and you could testify too if you wish to do
15 so. Do you understand that?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: And then if you testify, then you could be
18 subject to cross-examination like every other witness. Do you
19 understand that?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: And then if you present witness, they will
22 be subject to cross-examination like every other witness. Do
23 you understand that too?

24 THE DEFENDANT: I do.

25 THE COURT: And then further, with regard to this

1 presentation of evidence, do you understand then that you could
2 remain silent and not testify or you could testify and if you
3 do not testify, as I said before, I will advise the jury that
4 it couldn't use that against you. And if you testify, I will
5 advise the jury it could not disbelieve your testimony just
6 because you're the defendant. Do you understand that?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: During the trial, if you and your counsel
9 have objections to other matters submitted to the prosecution,
10 do you understand that you have a right to make those
11 objections?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: And I will rule on those objections before
14 the evidence could be construed by a jury. Do you understand
15 that too?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Any questions in that regard?

18 THE DEFENDANT: No, sir.

19 THE COURT: Do you further understand that if you
20 successfully plead guilty to this count, that there will be no
21 necessity for the prosecution to prove its case against you by
22 submitting that case to a trier of fact either to the court or
23 to the jury. Do you understand that?

24 THE DEFENDANT: I do.

25 THE COURT: Do you understand that you'll be giving up

1 that right?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: That we'll be proceeding directly to
4 sentencing after that point?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: And you understand that you have this
7 right to have a trial either before this court or a jury if you
8 want one and no one can make that decision or that choice
9 except you?

10 THE DEFENDANT: Yes.

11 THE COURT: So then with regard to that choice, do you
12 still wish to enter a plea of guilty?

13 THE DEFENDANT: I do.

14 THE COURT: Let's talk about Count 23. You said you
15 read Count 23. Is that so?

16 THE DEFENDANT: Yes.

17 THE COURT: You also said you were here when I went
18 over these matters with Mr. Epps. Is that correct?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Did you hear me talk about Count 23 at
21 that time? Did you hear me talk about Count 23 at that time?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Did you have a copy of Count 23 with you
24 when I was going over Count 23 with Mr. Epps?

25 THE DEFENDANT: No, not in my hand. It was -- my

1 attorney had it.

2 THE COURT: Okay. Count 23 -- do you have a copy in
3 front of you now?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: And you told me before you've read it so
6 I'm confident that you have. So let's just look at Count 23
7 and summarize some part of it. And anything you want some
8 detailed discussion on, we'll do that. Okay?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Count 23 says -- look at paragraph 48.
11 The allegations contained in paragraphs 1 through 47 of this
12 indictment are realleged and incorporated by reference as
13 though fully set forth herein. Now, we're only talking about
14 Count 23, but did you hear my conversation with Mr. Epps when I
15 talked about relevant conduct?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: And I explained that even though he was
18 pleading, as you are, to Count 23, that at sentencing this
19 court can take into account misconduct alleged in other
20 paragraphs even though you're not pleading to them if the court
21 finds that conduct to be bearing on the sentencing.

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Do you understand that?

24 THE DEFENDANT: I do.

25 THE COURT: So then I just read 48 to you. And then

1 in 49, it's the substantive allegations against you. It starts
2 off by giving the time period that I've discussed with you
3 before, and then it says that Christopher B. Epps and you,
4 Mr. Cecil McCrory, did knowingly combine, conspire, and agree
5 about each other and with other persons known and unknown to
6 the grand jury to commit offenses against the United States in
7 violation of Title 18 United States Code Section 1956, to wit,
8 to knowingly conduct and attempt to conduct transactions
9 affecting interstate commerce and foreign commerce which
10 transactions involve the proceeds of specified unlawful
11 activity, that is, bribery and kickbacks knowing that the
12 transactions were designed in whole or in part to conceal and
13 disguise the nature, location, source, ownership and control of
14 the proceeds of specified unlawful activity and that while
15 conducting and attempting to conduct such financial
16 transactions knew that the property involved in the financial
17 transactions represented the proceeds of some form of unlawful
18 activity in violation of Title 18 United States Code
19 Section 1956(a)(1)(B)(i). Then it says the manner and means
20 used to accomplish the objectives of the conspiracy included,
21 among others, the following.

22 Now, did you read the manner and means before?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Let's go back to what it says here in
25 paragraph 49. As I stated before, it sets out the time period.

1 It sets out the two persons alleged to have conspired, and then
2 it mentions the conspiracy. So you understand that at the
3 bottom you're charged with conspiring with Christopher B. Epps,
4 two, committed the acts charged here in paragraph 49. Do you
5 understand that?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: And then in paragraphs 50, 51 and 52,
8 these paragraphs set out the manner and means of how you and
9 Mr. Epps allegedly carried out or tried to carry out the scheme
10 that's mentioned in paragraph 49. Do you understand that?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Like in paragraph 50, it mentions that you
13 wired several large bribe payments to the financial
14 institutions that held the mortgage for defendant Epps' home in
15 Flowood, Mississippi, with Epps later using the equity from the
16 proceeds of that specified unlawful activity to take out a loan
17 to purchase a condominium in Biloxi, Mississippi, thus
18 concealing and disguising the nature and source of the proceeds
19 from the specified unlawful activity. Did you follow along
20 with me on that?

21 THE DEFENDANT: I did.

22 THE COURT: Paragraph 50, again under manner and
23 means, setting out how the criminal activity in part was
24 committed. It says that during the time period of the
25 conspiracy, defendant McCrory gave cash bribes and kickbacks to

1 defendant Epps which Epps would put in his safe at home until
2 he was ready to deposit such cash, bribes into his various bank
3 accounts or use such cash to purchase cashier's checks later
4 structuring such deposits and purchases in order to conceal and
5 disguise the nature and source of these proceeds of this
6 specified unlawful activity. Again did you follow along with
7 me on that?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: And then finally in paragraph 53, that
10 during this time period of the conspiracy, defendant McCrory
11 also wired a large bribe payment to defendant Epps' Edward
12 Jones investment account from which Epps was able to wire money
13 and trade in his Biloxi condominium for a larger, more
14 expensive condominium in Pass Christian, Mississippi, thus
15 continuing to conceal and disguise the nature and source of the
16 proceed of the specified unlawful activity, and all of this is
17 charged in violation of Section 1956(h) of Title 18 United
18 States Code.

19 Did you following along with me on the reading of
20 those matters?

21 THE DEFENDANT: Yes, sir, I did.

22 THE COURT: Any question about that?

23 THE DEFENDANT: No, sir.

24 THE COURT: So then we are dealing here with 18 USC
25 Section 1956(h), and again I ask when I went over these matters

1 with Mr. Epps, were you present in the courtroom?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: So you heard the discussion?

4 THE DEFENDANT: I did.

5 THE COURT: And did any parts of that discussion bring
6 any questions to your mind about these matters?

7 THE DEFENDANT: No, sir.

8 THE COURT: I still need to ask you some things about
9 it, but I just wanted to know preliminarily whether you have
10 some specific question. If you do at any point along the way,
11 let me know. All right?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: This title we're talking about is Title
14 18, and the section we're talking about is Section 1956(a)(1),
15 which makes it a crime for anyone to conduct a financial
16 transaction with the proceeds of specified unlawful activity
17 knowing that the property involved represents the proceeds of
18 some form of illegal activity and knowing that the transaction
19 is designed to conceal or disguise the nature, location, source
20 ownership or control of the proceeds of specified unlawful
21 activity.

22 Now, if you had determined that you wanted a jury
23 trial or if you change your mind now about pleading guilty and
24 ask for a jury trial or for that matter even a bench trial, in
25 order for you to be convicted of this particular accusation,

1 the prosecution would have to prove each of the following
2 elements by proof beyond a reasonable doubt. The government
3 would have to prove each of the following by proof beyond a
4 reasonable doubt:

5 First, that you knowingly conducted a financial
6 transaction.

7 Secondly, that the financial transaction involved the
8 proceeds of a specified unlawful activity, namely bribes and
9 kickbacks.

10 Thirdly, that the defendant knew that the property
11 involved in the financial transaction represented the proceeds
12 of some form of unlawful activity.

13 And, fourthly, that the defendant knew that the
14 transaction was designed in whole or in part to conceal or
15 disguise the nature, location, source, ownership, or control of
16 the proceed of the specified unlawful activity.

17 Now, did you hear the elements I just described?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: You recognize again that the prosecution
20 would have to prove each one of these elements by proof beyond
21 a reasonable doubt, do you not?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: So then the first requirement, that first
24 prerequisite, that the defendant knowingly conducted a
25 financial transaction, knowingly conducted. That term

1 "knowingly" means that you engaged in activity purposely,
2 knowing, understanding, appreciating this activity and that you
3 were not acting out of mistake but were not acting at the
4 direction of somebody else but you were acting voluntarily. Do
5 you understand that?

6 THE DEFENDANT: Yes.

7 THE COURT: Then the other part of that element, it
8 says "knowingly conducted a financial transaction." A
9 financial action includes any transaction as that term is
10 defined herein, and the term "transaction" includes a purchase,
11 sale, pledge, gift, transfer, delivery or our disposition or
12 with respect to a financial institution a deposit, withdrawal,
13 transfer between accounts, exchange of currency, loan,
14 extension of credit, purchase or sale of any stock, bond,
15 certificate of deposit, or other monetary instrument or other
16 payment, transfer, or delivery by through or to a financial
17 institution by whatever means effected.

18 So you understand here that this term "transaction" is
19 indeed broad, is it not?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: And so what that first element says is
22 that the defendant knowingly conducted a financial transaction,
23 and so this financial transaction is one which in any way or
24 degree affects interstate or foreign commerce involving the
25 movement of funds by wire or other means, one or more monetary

1 instrument, or the transfer of title to any real property,
2 vehicle, vessel, or aircraft; or, two, which involves the use
3 of a financial institution that is engaged in or the activities
4 of which affect interstate or foreign commerce in any way or
5 degree.

6 So then with regard to that first element that says
7 that the prosecution has to prove that you knowingly conducted
8 a financial transaction, do you have any questions about what
9 that requires?

10 THE DEFENDANT: No, sir.

11 THE COURT: And, of course, you understand that the
12 word "conduct" includes initiating or concluding or
13 participating in initiating or concluding a transaction. Do
14 you understand that?

15 THE DEFENDANT: I do.

16 THE COURT: The second element is -- says that the
17 financial transaction involved the proceed of a specified
18 unlawful activity, namely bribes and kickbacks. So we start,
19 then, our definition here with the word "proceeds." The term
20 proceeds means any property derived from or obtained or
21 retained directly or indirectly through some form of unlawful
22 activity, including the gross receipts of such activity. So do
23 you understand what that term means in this context here?

24 THE DEFENDANT: I do.

25 THE COURT: So then the government with regard to the

1 second element would have to prove that the financial
2 transaction involved the proceed of a specified unlawful
3 activity, namely bribes and kickbacks. So as that term is used
4 here, bribes and kickbacks, do you understand what that means?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: It is an activity which is against the law
7 where one individual provides some service or property in
8 response to some sort of illegal -- illegal initiative. Do you
9 understand that?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: The third element is that the defendant
12 knew that the property involved in the financial transaction
13 represented the proceeds of some form of unlawful transaction
14 or lawful activity. Do you understand what that means again?

15 THE DEFENDANT: I do.

16 THE COURT: And I need to emphasize the word "knew,"
17 that the defendant knew, not that the defendant supposed or
18 guessed but that the defendant knew, had knowledge. Do you
19 understand? Was aware. Do you understand that?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: The fourth element is that the defendant
22 knew that the transaction was designed in whole or in part to
23 conceal or disguise the nature, location, source, ownership, or
24 control of the proceeds of the specified unlawful activity.

25 With respect to the second element, that is, that the

1 financial transaction involved the proceeds of a specified
2 unlawful activity, namely bribes and kickbacks. The government
3 must show that in fact the property was the proceeds of bribes
4 and kickbacks which are specified unlawful activities under the
5 statute. Do you understand that?

6 THE DEFENDANT: I do.

7 THE COURT: With respect to the third element, the
8 government must prove that you knew that the property involved
9 in the transaction was the proceeds of some kind of crime, that
10 is, a felony any under federal, state, or foreign law, although
11 the government need not show that you knew exactly what crime
12 generated the funds. Bribery is a felony. Do you understand
13 that?

14 THE DEFENDANT: I do.

15 THE COURT: This alleges a conspiracy, and a
16 conspiracy is an agreement by two or more persons. Here you
17 are charged along with Mr. Epps to commit an unlawful act. In
18 other words, it is a kind of partnership for criminal purposes.
19 Every member of the conspiracy becomes the agent or partner of
20 every other member. Do you understand that?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: So do you understand that acts taken by a
23 member of the conspiracy in furtherance of a conspiracy are
24 imputed to the other coconspirator?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Do you understand that?

2 THE DEFENDANT: I do.

3 THE COURT: The government does not have to prove that
4 all of the people named in the indictment were members of the
5 plan or that these who were members made any kind of formal
6 agreement. Now, I will emphasize that second part, that the
7 government need not prove that they made any kind of formal
8 agreement. In your case here, the government contends that you
9 and Mr. Epps conspired, that you were two persons that
10 comprised the conspiracy. Do you understand that?

11 THE DEFENDANT: I do.

12 THE COURT: And do you understand that the government
13 need not prove that you entered into any formal agreement or
14 that you had some agreement that was put on paper or anything
15 like that. Do you understand that?

16 THE DEFENDANT: I do.

17 THE COURT: The heart of the conspiracy is the making
18 of the unlawful plan itself. So the government does not have
19 to prove that the conspirators succeeded in the carrying out
20 the plan. But here the government is saying that you did, but
21 the government did you not have to prove that. Do you
22 understand that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: A defendant can be found guilty of this
25 crime only if all of the following facts are proved beyond a

1 reasonable doubt: That two or more persons agreed to try to
2 accomplish a common and unlawful plan to violate 18 USC
3 Section 1956 and that the defendant -- that is you -- knew
4 about the plan's unlawful purpose and willfully joined in it.
5 Do you understand that?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: By willfully join in it, the court deems
8 that you joined in the conspiracy that is with the intent to
9 further the conspiracy's purpose. Do you understand that?

10 THE DEFENDANT: I do.

11 THE COURT: A person may be a conspirator without
12 knowing -- without knowing all the details of the unlawful plan
13 or names and identities of all the other alleged conspirators.
14 If the defendant played only a minor part in the plan but had a
15 general understanding of the unlawful purpose of the plan and
16 willfully joined in the plan on at least one occasion, that's
17 sufficient for a jury to find a defendant guilty if so proved
18 by proof beyond a reasonable doubt. Do you understand that?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Simply being present at the scene of an
21 event or merely associating with certain people and discussing
22 common aims and interests doesn't establish proof of a
23 conspiracy. Also a person who does not know about a conspiracy
24 but who happens to act in a way that advances some purpose of
25 the conspiracy does not automatically become a conspirator or a

1 coconspirator under the law. Do you understand that?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Is there anything about the elements of
4 the law that the prosecution would have to prove on Count 23?

5 THE DEFENDANT: No, sir.

6 THE COURT: Now, are you aware of what the maximum
7 penalty is for a violation of Count 23?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Have you been told that it's not more than
10 20 years imprisonment and a fine of \$500,000 or twice the value
11 of the property involved in the transaction?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: Have you been advised that this violation,
14 if it should come to sentencing, could have a cap of supervised
15 release of not more than three years?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: Do you know what supervised release is?

18 THE DEFENDANT: I do, yes, sir.

19 THE COURT: Did you hear me discuss that with
20 Mr. Epps?

21 THE DEFENDANT: I did.

22 THE COURT: Do you have any questions about supervised
23 release?

24 THE DEFENDANT: No, sir.

25 THE COURT: And then do you understand you have to pay

1 the special assessment fee? Do you understand that?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: And further I understand -- well, I had
4 better turn to the prosecution. Is there an agreement on the
5 forfeiture?

6 MR. HURST: There is, Your Honor.

7 THE COURT: Okay. Thank you. Do you understand that
8 the court could order you to make forfeiture, but I understand
9 that you all have an agreement on such. Is that correct?

10 THE DEFENDANT: That's correct.

11 THE COURT: And then you have to pay the special
12 assessment fee of \$100. Do you know that?

13 THE DEFENDANT: Yes, sir. I've already paid that.

14 THE COURT: You've already paid that. All right. Is
15 there anything about what I've gone over that generates any
16 question in your mind that you wish to discussion?

17 THE DEFENDANT: No, sir, no.

18 THE COURT: We still have a ways to go. So if you
19 have any question make sure you ask. All right?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: Now, are you offering your plea
22 voluntarily?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Has anybody forced you today to plead
25 guilty?

1 THE DEFENDANT: No, sir.

2 THE COURT: Is there a plea agreement?

3 MR. HURST: Yes, Your Honor. There's a plea agreement
4 and plea supplement.

5 THE COURT: All right. Go over that for us.

6 MR. HURST: Yes, Your Honor. The defendant has agreed
7 to plead guilty to Count 23 to the indictment filed in this
8 case charging him with money laundering conspiracy in violation
9 of Section 1956(h), Title 18 United States Code. The defendant
10 has also agreed to make full restitution of all victims, to
11 fully perform under the forfeiture paragraph of the plea
12 supplement and to neither run for elected public office nor
13 apply for or be employed by any governmental institution
14 future.

15 Your Honor, contained within the plea agreement are a
16 number waivers, which I will highlight now. As part of that
17 plea agreement, the defendant has agreed to waive the following
18 rights, one, the right to appeal the conviction and sentence or
19 the manner in which the sentence was imposed on any ground
20 whatsoever, the right to contest the conviction and sentence or
21 the manner in which the sentence was imposed in any
22 postconviction proceeding, including but not limited to a
23 motion under 28 United States Code Section 2255, and any type
24 of proceeding claiming double jeopardy or excessive penalty as
25 a result of any forfeiture in this case.

1 He also is waiving any rights to seek attorneys fees
2 and/or costs and any and all rights, whether asserted directly
3 or by a representative, to request or receive records about
4 this case under the Freedom of Information Act or the Privacy
5 Act.

6 Your Honor, at this time, the government would request
7 that the court have the defendant personally confirm that he
8 understands and agrees to the terms of the plea agreement,
9 including specifically the waivers as outlined by the
10 government, and we ask that the plea supplement be sealed
11 pursuant to local rules and both be made a part of the record.

12 THE COURT: All right. Thank you. Let's talk about
13 the plea agreement itself. Mr. McCrory, did you enter into a
14 plea agreement with the government?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: And do you understand that if this
17 agreement contains some promise by the government to make a
18 recommendation at sentencing to me, that I would not be bound
19 at sentencing by that recommendation?

20 THE DEFENDANT: I understand that.

21 THE COURT: And do you understand that I could
22 sentence you up to the maximum as required by law?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Or as authorized by law?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Do you understand that?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: So do you understand then that with regard
4 to the sentence that this court could impose, it is totally
5 within this court's discretion?

6 THE DEFENDANT: I understand that.

7 THE COURT: And the court could sentence you to the
8 highest part of the statute or the guidelines or both. Do you
9 understand that?

10 THE DEFENDANT: I understand it.

11 THE COURT: And with regard to this sentencing matter,
12 do you understand that at this juncture even though the
13 prosecution may have shared with you its thoughts about what
14 you might face with regard to the sentencing guidelines, and
15 your counsel may have also joined in that prediction as to what
16 the guidelines might be, do you understand that I and I alone
17 will be the one to determine what the guidelines are?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: And do you further understand that in
20 making that determination that I'm not bound by anybody else's
21 calculations? Do you understand that?

22 THE DEFENDANT: Yes, sir, I understand.

23 THE COURT: Do you further understand that while the
24 prosecution may be recommending that you be sentenced under the
25 guidelines, that the court has the option to sentence you under

1 the statute if the court so desires? Do you understand that?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: And do you understand that there would be
4 a difference under the guidelines as opposed to what the
5 statute prescribes, that generally the statute prescribes a
6 potential sentence higher than what's calculated in the
7 guidelines? It is not always the case, but do you understand
8 that if that is the case here that -- and the statute
9 prescribes higher penalty than the guidelines, that it is up to
10 me to determine whether to sentence you under the guidelines or
11 under the statute? Do you understand that?

12 THE DEFENDANT: I do.

13 THE COURT: Any question about that at all?

14 THE DEFENDANT: No, sir.

15 THE COURT: Do you understand that ordinarily a
16 defendant has a right to appeal a sentence and conviction to
17 the next higher court?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Do you understand that you are giving up
20 that right?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: When I sentence you, do you understand
23 that you cannot appeal to the next court indicating that you
24 think the sentence is too high or too low or inappropriate or
25 whatever?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Do you understand that?

3 THE DEFENDANT: I do.

4 THE COURT: Do you further understand that under the
5 Freedom of Information Act that you would not be able to obtain
6 information concerning what was in the government's file,
7 investigation file, or during the course of this prosecution
8 but that you cannot ever gain access to such information? Do
9 you understand that?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Do you further understand that you can't
12 institute some proceeding seeking to get some sort of fees like
13 attorney fees or anything else from the government as a result
14 of this prosecution?

15 THE DEFENDANT: I do.

16 THE COURT: Did you sign this plea agreement?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: And when did you sign it?

19 THE DEFENDANT: This morning.

20 THE COURT: All right. And when is the first time you
21 saw it?

22 THE DEFENDANT: This morning.

23 THE COURT: And that's the first time you read over
24 it?

25 MR. LELAND: Judge, this was a revised agreement. It

1 is actually dated February 12th. That's the first time that we
2 went over it. There have been many iterations between
3 February 12th and now.

4 THE DEFENDANT: We went over this one this morning
5 too.

6 THE COURT: Did you have adequate time to go over it?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: And, Counsel, do you agree with that, that
9 you had adequate time to go over it?

10 MR. LELAND: Yes, sir.

11 THE COURT: I seem to get -- I seem to get the
12 impression that you've gone over the basics but that you had to
13 fine-tune this agreement.

14 MR. LELAND: We have, Your Honor.

15 THE COURT: Is that what you all did today?

16 MR. LELAND: We did, Your Honor. It was -- the plea
17 agreement changed. Also the forfeiture agreement has changed
18 and it was actually the forfeiture agreement that had the most
19 changes to it and that was the one we didn't receive until
20 yesterday. And because of a computer glitch at my office, we
21 couldn't get it up until this morning. So that's the reason we
22 went over it this morning.

23 THE COURT: All right. And did you have adequate time
24 to go over that agreement with your client?

25 MR. LELAND: Yes, sir, we did.

1 THE COURT: And did you answer whatever questions he
2 had?

3 MR. LELAND: Yes, sir.

4 THE COURT: Then I turn to Mr. McCrory. Did you have
5 adequate time to go over that agreement with your counsel?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Are you satisfied at the answers he
8 provided to you about this matter?

9 THE DEFENDANT: Yes, I am.

10 THE COURT: Do you have any lingering question that
11 you wish to ask?

12 THE DEFENDANT: No, sir.

13 THE COURT: Or lingering questions that plague you
14 concerning this matter?

15 THE DEFENDANT: No, sir.

16 THE COURT: So did you read each every paragraph of
17 this agreement?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Is there anything in this agreement you'd
20 like for me to go over?

21 THE DEFENDANT: No, sir.

22 THE COURT: Now, the second document is the plea
23 supplement. That document is going to be placed under seal.
24 Now, did you read this document?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Did you go over it and discuss it
2 thoroughly with your counsel?

3 THE DEFENDANT: I did.

4 THE COURT: Do you have any questions at all about
5 anything in that document?

6 THE DEFENDANT: No, sir.

7 THE COURT: When did you sign that document?

8 THE DEFENDANT: This morning.

9 THE COURT: Did you have enough time to spend with
10 that document?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Did you have enough time to spend with
13 your lawyer?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: And I ask you again, any kind of questions
16 you have there?

17 THE DEFENDANT: I don't have any.

18 THE COURT: At the end of both documents are some
19 declarations. Would you look at those declarations at the end
20 of those documents? Do you see those declarations there?

21 THE DEFENDANT: Yes, sir. We went over all of those
22 this morning.

23 THE COURT: Did you?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Do you have any questions about them?

1 THE DEFENDANT: No, sir.

2 THE COURT: Now, they are identical at the end of both
3 documents. Do you agree with me on that?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: With regard to those declarations, do you
6 agree with them?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: Now, you told me you signed this
9 document -- both documents today.

10 THE DEFENDANT: Yes.

11 THE COURT: So those documents bear your signature?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: They bear today's date?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Counsel, when did you sign the document?

16 MR. LELAND: This morning.

17 THE COURT: All right. And to the prosecution: When
18 did you sign it?

19 MR. HURST: Today, Your Honor.

20 THE COURT: Please pass the documents over.

21 Mr. McCrory, just as with Mr. Epps, I wish to comment a little
22 further on two of the provisions here. One that you cannot
23 appeal, that is, ordinarily a defendant has the right to appeal
24 to the next higher court what the defendant might feel to be an
25 unjust, inadequate, or imprudent sentence. And do you

1 understand that you are giving up this right by this document
2 you've signed?

3 THE DEFENDANT: I do.

4 THE COURT: Then next, do you understand that you have
5 also agreed with the prosecution in this document that you
6 would not ever seek public office?

7 THE DEFENDANT: Yes, I understand.

8 THE COURT: And also that you would not seek
9 employment by any governmental entity?

10 THE DEFENDANT: I understand.

11 THE COURT: Is it your understanding that that
12 prescription or proscription is broad and concerns any state or
13 federal government office?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Now, Mr. McCrory, how would you describe
16 your occupation?

17 THE DEFENDANT: My occupation? Retired.

18 THE COURT: You're retired now?

19 THE DEFENDANT: Yes.

20 THE COURT: How long?

21 THE DEFENDANT: Since September of last year.

22 THE COURT: Mr. McCrory, did you intend to reenter the
23 work force?

24 THE DEFENDANT: No, sir.

25 THE COURT: So that was your decision then to retire?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: All right. I ask you that question,
3 Mr. McCrory, to see how that provision here might affect your
4 future plans in becoming gainfully employed. So that's why I
5 asked the question to see then whether you fully understood the
6 implications of what's here.

7 THE DEFENDANT: Yes, sir.

8 THE COURT: You understand that then?

9 THE DEFENDANT: I do understand, yes, sir.

10 THE COURT: Okay. One other matter. Did you hear me
11 discuss with Mr. Epps this whole matter of relevant conduct?

12 THE DEFENDANT: Yes, sir, I did.

13 THE COURT: What I said and will repeat to you is
14 this: That you are pleading guilty to one count that concerns
15 you. But even though you're only pleading guilty to one count,
16 that at sentencing the court if it finds it appropriate can
17 consider misconduct that might emanate from other counts in the
18 indictment. Do you understand that?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: That's been explained to you by your
21 counsel?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Now, with regard to the plea agreement,
24 the plea agreement is numbered at the bottom. It's between the
25 United States and Mr. Cecil McCrory, criminal number

1 3:14CR111HTW-FKB. It is dated February 12, 2015, on the front
2 page. It's numbered at the bottom page 1 of 5. The second
3 page is numbered page 2 of 5. The third page similarly, 3 of 5
4 and then 4 of 5, with the tenth paragraph falling on page 4
5 midway the page and the rest of that page being blank after the
6 tenth paragraph. Then on page 5 of 5 at the top is paragraph
7 11 styled complete agreement, and thereafter are the
8 declarations I mentioned earlier.

9 And then the signature of the parties are found after
10 that, that of D. Michael Hurst, Jr., Assistant United States
11 Attorney, that of Mr. Cecil McCrory defendant and that of
12 Mr. Don Leland, attorney for defendant. All are signed on
13 2/25/15. So I'll make this plea agreement a part of the
14 record.

15 And there's a plea supplement. The plea supplement is
16 dated at the bottom. First page is dated February 12, 2015.
17 Then there's page 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
18 15. And it ends with paragraph 9, which starts on page 14 and
19 ends on page 15 with 9(j). After (j) are the declarations, and
20 then at the top of page 16 are the signature of the same
21 parties I mentioned earlier and the same dates, that is,
22 February 25, 2015. I'll make this a part of the record in the
23 usual and normal course, that is, under seal. The plea
24 supplement, just as the plea supplement in the Christopher Epps
25 case is to be made -- is to be filed under seal.

1 Mr. McCrory, you and your counsel have a seat now.
2 I'm going to hear from the prosecution what the prosecution
3 says it would be able to prove if this matter were to go to
4 trial. All right.

5 MR. HURST: Thank you, Your Honor. If this case were
6 to proceed to trial, the government would prove the following
7 facts as it relates only to Count 23:

8 From 2002 through 2014, codefendant Christopher B.
9 Epps served as the commissioner of the Mississippi Department
10 of Corrections. Beginning at least in 2006, the defendant
11 Cecil McCrory, his companies and companies that paid McCrory,
12 began receiving contracts from MDOC at the direction of
13 codefendant Epps sometime on a no-bid basis.

14 In return for these contracts and in order to secure
15 future contracts and favors, beginning in July of 2008 the
16 defendant Cecil McCrory began paying codefendant Epps beginning
17 with a transfer of funds from McCrory to the financial
18 institution that held the mortgage for Epps' home.

19 During this one-year period from July of 2008 through
20 July of 2009, defendant McCrory sent four cashier's checks
21 totaling \$351,309.81 to the mortgage company holding the
22 mortgage on Epps' home resulting in Epps' home mortgage being
23 completely paid off.

24 Epps thereafter used the equity from the proceeds of
25 that specified unlawful activity to take out a loan to purchase

1 a beach condo in Biloxi, Mississippi, thus concealing and
2 disguising the nature and source of the proceeds from the
3 specified unlawful activity.

4 During the time period of this conspiracy, defendant
5 McCrory also gave cash bribes and kickbacks to codefendant
6 Epps, which Epps told McCrory that Epps would put these bribes
7 and kickbacks in his safe at home until he was ready to deposit
8 such cash bribes into various bank or investment accounts, use
9 such cash to purchase cashier's checks or spend such cash to
10 make other purchases.

11 Codefendant Epps would later structure these deposits
12 and purchases into his bank or investment accounts, comingling
13 the money with his salary and other legitimate income in order
14 to conceal and disguise the nature and source of these proceeds
15 of this specified unlawful activity.

16 Codefendant Epps would also electronically transfer
17 money between his comingled accounts and his investment account
18 in order to further conceal and disguise the bribes. And
19 codefendant Epps would conduct other financial transactions
20 with the bribe proceeds by structuring the purchase of
21 cashier's checks and depositing those checks into his Edward
22 Jones investment account or use towards the payment for his
23 Mercedes Benz automobiles.

24 On one occasion codefendant Epps brought the defendant
25 McCrory a tote bag which contained \$40,000 in cash bribes, and

1 codefendant Epps told defendant McCrory, "I need you to get
2 that to my guy at Edward Jones."

3 Epps left a note in the bag with instructions for
4 defendant McCrory on where to wire the money. Defendant
5 McCrory thereafter deposited the money into one of his accounts
6 and wired from McCrory's tractor store business accounts to
7 Epps' Edward Jones investment account with McCrory falsely
8 labeling the wire transaction as a consignment sale of farm
9 equipment and similarly falsely recording the wire transaction
10 in the books and records of the tractor store in order to
11 conceal and disguise the scheme.

12 During this time period, Your Honor, codefendant Epps
13 received and laundered almost \$1 million in cash bribe money
14 during the period of the conspiracy.

15 In 2012 defendant McCrory made two wire transfers
16 totaling almost \$50,000 to the bank which held the loans for
17 codefendant Epps' beach condo in Biloxi. Shortly thereafter
18 codefendant Epps paid off his beach condo mortgage using bribe
19 money that he structured the bank and investment accounts via
20 cashier's checks he had purchased in amounts less than \$10,000
21 in order to avoid detection.

22 In 2013 codefendant Epps used the equity from his
23 paid-off Biloxi beach condo and cash from his Edward Jones
24 investment account in which he had already structured the
25 proceeds of bribes and kickbacks in order to purchase a more

1 expensive beach condo in Pass Christian for almost a half a
2 million dollars.

3 Epps later replenished his Edwards Jones account from
4 which he had used to buy this condo by depositing structured
5 cashier's and bank checks in amounts less than \$10,000 into his
6 Edward Jones account.

7 In addition, the defendant McCrory wired \$50,000 from
8 one of his business accounts directly to Epps' Edward Jones
9 investment account.

10 In summary, this conspiracy between codefendant Epps
11 and defendant McCrory to launder bribes and kickbacks resulted
12 in Epps being able to purchase outright three Mercedes Benz,
13 two beach condos, a half million dollar home, and fund an
14 almost \$1 million retirement account and other bank accounts in
15 return for McCrory's companies being paid over \$2 million by
16 the MDOC for contracts and leases awarded since 2006 by or at
17 the direction of Epps and for McCrory being paid over
18 \$3 million by various companies which had been awarded MDOC
19 contracts since 2006, sometimes on a no-bid basis at the direct
20 request of Epps.

21 THE COURT: Mr. Hurst, the \$2 million you read off --

22 MR. HURST: Yes, Your Honor.

23 THE COURT: -- and the \$3 million you read off --

24 MR. HURST: Yes, Your Honor.

25 THE COURT: -- are they the same monies?

1 MR. HURST: They are not, Your Honor. The \$2 million
2 was monies paid directly from MDOC to companies that
3 Mr. McCrory either partially owned or fully owned for contracts
4 with MDOC. The \$3 million is where Mr. McCrory was hired as a
5 consultant by outside companies to consult for the contracts
6 with MDOC.

7 THE COURT: And these contracts, they were just to get
8 contracts. So he was hired has a consultant, you're saying.

9 MR. HURST: For the \$3 million that's correct, Your
10 Honor.

11 THE COURT: Okay. Thank you. You all can approach
12 the podium again. Mr. McCrory, did you hear what Mr. Hurst had
13 to say?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Do you disagree with any of his statement?

16 THE DEFENDANT: No, sir.

17 THE COURT: So then with regard to this count 23, I'd
18 like to hear in your words what makes you guilty of the
19 accusations of Count 23.

20 THE DEFENDANT: Your Honor, Mr. Epps talked me into
21 making that first payment on his house and it took a month to
22 persuade me to do it, but I did it. And then it was just gone
23 from there seems like. It's something I never thought that I
24 would do, but I did it. So, you know, I can't take it back,
25 but that's how it started.

1 THE COURT: So then with regard to making these
2 payments to Mr. Epps, did you do that?

3 THE DEFENDANT: I did.

4 THE COURT: And the prosecution says that you were
5 directed at times where to make the payment. Did you do that?

6 THE DEFENDANT: Yes, I was.

7 THE COURT: And sums of money that the prosecution
8 read off, are those the sums that were involved?

9 THE DEFENDANT: The \$3 million that were paid to my
10 companies that wasn't profit that I put in my pocket. That was
11 operating restitution centers for DOC, which I ended up losing
12 about \$200,000 in. And in exchange for the lease, I donated
13 all the property back to the state. So I mean they kind of
14 broke even on that one.

15 THE COURT: What about the consultation matter?

16 THE DEFENDANT: Yes, sir. I was paid by companies who
17 got contracts here.

18 THE COURT: All right. The prosecution says that you
19 derived some 2 or \$3 million from that.

20 THE DEFENDANT: From consulting?

21 THE COURT: Yes.

22 THE DEFENDANT: Over a period of time I would say
23 that's probably right.

24 THE COURT: Okay. So then this conduct, did that
25 amount to a bribe?

1 THE DEFENDANT: This conduct?

2 THE COURT: Yes, the conduct we're talking about now,
3 would you describe it then as the prosecution does as the bribe
4 and kickback?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: And with regard to any defense for that
7 conduct, do you have a legal defense for that conduct?

8 THE DEFENDANT: Not one that I can think of.

9 THE COURT: And you discussed this matter thoroughly
10 with your lawyer?

11 THE DEFENDANT: I have.

12 THE COURT: So then now with regard to Count 23, how
13 do you plead? Guilty or not guilty?

14 THE DEFENDANT: I plead guilty, Your Honor.

15 THE COURT: Since you acknowledge that you are in fact
16 guilty as charged, since you know your rights to a trial, since
17 you know what the maximum possible punishment is and since
18 you're voluntarily pleading guilty, I will accept your plea of
19 guilty as to Count 23 of the indictment and I hereby enter a
20 judgment of guilty against you as to that count.

21 Now, I will sentence you on June 10th, 2015, at
22 9:30 a.m. here in this courtroom. That's 9:30 a.m. June 10,
23 2015. Meanwhile, the United States probation office will
24 prepare a presentence investigation report on you. This report
25 will be comprehensive, and I will use that report to determine

1 what the appropriate sentence should be. This report will
2 contain a great deal of information about you.

3 The probation officer will wish to interview you on
4 some matters. Now, I urge you to cooperate with the probation
5 officer; but if the probation officer asks you any questions
6 that you feel or your counsel feels would incriminate you on
7 some other matter, you have a right not to answer that
8 question. Do you understand that?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Now, I alluded to your counsel being
11 present with you. Do you understand that you have a right to
12 have your lawyer present with you at all times?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: With the probation officer. Do you
15 understand that?

16 THE DEFENDANT: I do.

17 THE COURT: I would expect that before you come back
18 here that you will read the presentence investigation report
19 because you should be able to get a copy of it some ten days
20 before you come back here, ten days before the sentencing. So
21 you should have enough time to read it, digest it, and go over
22 it with your counsel.

23 If you have questions, then you go over those
24 questions thoroughly with your lawyer. If you find anything in
25 that report to your dislike, make sure to let your lawyer know.

1 If you feel like you need to add something, make sure you let
2 your lawyer know. If there's something in there that you feel
3 is unnecessarily or unduly prejudicial, let your lawyer know.
4 If something shouldn't be in there, certainly let your lawyer
5 know.

6 Now, I'm going to read every page, every sentence of
7 the presentence investigation report so I'm going to be
8 familiar with that whole document. So if something is in there
9 that I shouldn't see, then you need to be the guardian of that.
10 Let your lawyer know, and your lawyer can talk to probation and
11 then if that is correct then you all can take it out and I
12 won't see it.

13 But on the other hand, if you do not make an objection
14 when you should, then keep in mind I would have read it. That
15 doesn't mean it's going to prejudice me because if I shouldn't
16 consider it. I won't consider it. But it might bear on your
17 mind whether I did consider it, if you know there's something
18 in there I shouldn't see. I can assure you that if I say I
19 will not consider it, I won't consider it. But, nevertheless,
20 there might not be very much satisfaction to you if you think
21 I've already seen it and think I have been prejudiced by
22 whatever is in there. So the best thing to do is make sure you
23 read it thoroughly. Okay?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Now, is there a matter -- is there a

1 motion concerning forfeiture?

2 MR. HURST: There is, Your Honor.

3 THE COURT: Discuss that with me.

4 MR. HURST: Yes, Your Honor. Similar to Mr. Epps,
5 there is an agreed preliminary order of forfeiture between the
6 parties in this case. This one is actually 25 pages long.
7 Would the court like me to go parcel by parcel with the court
8 or like to review it yourself, Your Honor? I can give you the
9 Highlights.

10 THE COURT: Well --

11 MR. HURST: It's a lot more real estate involved which
12 is why it is 25 pages. And honestly because it's legal
13 descriptions, I really don't know how I'm going to be able to
14 describe it to the court rather than just letting the court
15 review it.

16 THE COURT: Let me review it.

17 MR. HURST: It was signed today right as the hearing
18 was starting by all sides. It's been going back and forth
19 between the parties, including one last-minute change this
20 morning that both parties agreed to, but I believe Mr. Leland
21 can speak to his client's review of it too.

22 THE COURT: I'm going to ask him in just a moment.
23 First let me have a copy. Mr. Leland, do you have a copy of
24 this?

25 MR. LELAND: I, do Your Honor.

1 THE COURT: All right. Do you have a copy you're
2 sharing with your client?

3 MR. LELAND: I do, Your Honor.

4 THE COURT: Okay. Now, let's look at this agreed
5 preliminary order of forfeiture. It has certain paragraphs
6 here. On the first page there are two paragraphs, paragraph 1
7 that discusses the awareness of the consequences known by
8 defendant for entering into this agreement, that the defendant
9 is freely and voluntarily entering into this agreement with
10 knowledge of consequences. Do you see that, Mr. McCrory?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Do you agree?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: The second paragraph starts off with the
15 asset. It start with number 1, the \$1,200,000. Do you see
16 that?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Number 2, real property and that real
19 property under 2 starts off with unit number 502, Sea Breeze
20 Condominium. Do you see that?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: That's included. The third one is real
23 property as unit 601, Sea Breeze Condominiums.

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Number 4 is property described as Unite

1 U-N-I-T-E. Is that United or Unite?

2 MR. HURST: It should be "unit," Your Honor.

3 THE COURT: Unit?

4 MR. HURST: It should be unit.

5 THE COURT: The "E" should not be there?

6 MR. HURST: The "E" should not be there.

7 THE COURT: Then the parties take note that I am
8 striking through the "E" and I'm putting my initials right
9 above it, "HTW." All right. Now, then, it says unit number
10 504 Sea Breeze Condominiums, and then the next paragraph is
11 Cabana C-4 Sea Breeze condominiums. Do you see that again,
12 Mr. McCrory?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: At the top of page 3 there's a
15 continuation of a sentence from the preceding page, and then
16 number 5. Under 5 it says, real property located at 104 Office
17 Park drive, and then it has tract 1. Now, under that it says,
18 see also and then it's a tract 2. Do you see those?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Page 4, it continue with tract 2, and then
21 we come to number 6. It says Christian Drive and Highway 18
22 Brandon, Rankin County, Mississippi. And then it says a tract
23 or parcel of land containing 4.15 acres situated in Southeast
24 one quarter of the Southwest one quarter of Section 18, et
25 cetera. Do you see that?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: And then there's a metes and bounds
3 description which says where it commences at the Southeast
4 corner, and then next line it talks about the North and then
5 after that the West, and then Southeast, South, South, North.
6 Do you see all of those on page 4?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: At the top page 5, it continues with North
9 62 degrees, North 27 degrees, North 70 degrees in three
10 different paragraphs. And then it has less and except, and
11 then it excepts a parcel of land being situated, and then it
12 gives metes and bounds again in the Southeast one quarter of
13 Southwest one quarter of Section 18, Township 5 North, Range 3
14 East, City of Brandon, Rankin County, Mississippi, described as
15 follows.

16 And there after in two paragraphs are some
17 descriptions. You see those?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: And then it says less and except and then
20 it talks about a tract or parcel of land containing 1.45 acres
21 more or less being situated in the Southeast one quarter of the
22 Southwest one quarter of Section 18. Do you see that at the
23 bottom?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: It continues over to the top of page 6,

1 and then we have number 7. It says a certain parcel of land
2 being situated in the east one half of Section 24 T5N-R2E
3 Rankin County, Mississippi, and being more particularly
4 described as follows. Then it says parcel 1. Do you see all
5 of that?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: And a full description after that?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: After that, the next paragraph at the
10 bottom, do you see parcel 2? The description for parcel 2 is
11 at the top of page 7. Thereafter is parcel 3. And then the
12 last words on page 7, are, quote, less and except, unquote.

13 Continue over to page 8 with again a description of
14 metes and bounds description, and that takes up the whole page
15 8.

16 Then we go to page 9 and also metes and bounds take up
17 page 9, comments down to less and except, and then we have a
18 tract or parcel of land containing 1.44 acres more or less
19 lying and being situated in the Southwest one quarter of the
20 Northeast one quarter of Section 24, Township 5 North, Range 2
21 East, City of Pearl, Rankin County, Mississippi, and being more
22 particularly described by metes and bounds as follows.

23 Then there's one line there dealing with a fence post.
24 At the top of page 10, the description continues on down to
25 number paragraph 8.

1 At paragraph 8, we find 100 nonexclusive ingress,
2 egress easement, and then the easement is described. And it's
3 described by metes and bounds for the rest of that paragraph.

4 Then on page 11, we have clerk of Rankin County,
5 thence at the top, and the metes and bounds description
6 continues. Do you agree with me on that?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: That's the end of page 11. Page 12 ends
9 with the metes and bounds description at the top, and then we
10 pick up with paragraph 9, which starts with one 2013 Chevrolet
11 Avalanche, and there is a VIN number. Do you see that?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: After that is a 3. Now, the 3 is there
14 because when we started on page 1. We had a 1 and a 2, but the
15 2 had all of these subparts. Do you agree with me on that?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: The two had subparts starting with 1 and
18 2, 3 and 4, 5 and 6 that I was reading off 7, 8, and 9. And
19 now we start with 3. Are you with me?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: So number 3, it says that the defendant
22 has been apprised that Rule 32.2 of the Federal Rules of
23 Criminal Procedure and Title 18 United States Code Section 982
24 require the court to order the forfeiture of the above
25 described property at and as a part of the sentencing

1 proceeding. The defendant does hereby waive such requirement
2 and the requirement that the forfeiture be made a part of the
3 sentence as ordered by the court in the document entitled
4 Judgment in a Criminal Case. The defendant and his attorney
5 further agree that the court should enter this order
6 immediately and agree that the forfeiture ordered hereunder
7 will be a part of the sentence of the court regardless whether
8 ordered at that proceeding and/or whether attached as a part of
9 the said judgment in a criminal case. Do you agree with that?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Then it says therefore ordered and
12 adjudged and follows. Then it says what you shall forfeit
13 starting with the \$1,200,000, with real property we just
14 described. Then the adjudication section of the order
15 adjudicates that which I've read already. Do you agree with
16 that?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Then on page 22 at the bottom, under 9(b),
19 right after the mentioning of the one 2013 Chevrolet Avalanche
20 with this VIN number is (b) the court has determined based on
21 this defendant's plea agreement and plea supplement that the
22 following property is subject to forfeiture pursuant to
23 Title 18 United States Code Section 982(a)(1), that the
24 defendant had an interest in such property and that the
25 government has established the requisite nexus between such

1 property and such offense. Do you agree?

2 THE DEFENDANT: Yes.

3 THE COURT: (c). Now, before I go into (c), I wanted
4 to mention that at the bottom of page 22, we have the paragraph
5 9, and then we have 9(b). We do not have a 9(a). Do you
6 agree, Mr. Hurst?

7 MR. HURST: I do, Your Honor.

8 THE COURT: Mr. Leland, do you agree?

9 MR. LELAND: Yes, sir.

10 THE COURT: There is no 9(a). It is paragraph 9, then
11 it goes directly into (b). Now, I've already discussed what
12 (b) says. And then (c). The United States may conduct any
13 discovery it considered necessary to identify, locate, or
14 dispose of the property subject to forfeiture or substitute
15 assets for such property. Do you understand what that means,
16 Mr. McCrory?

17 THE DEFENDANT: I do.

18 THE COURT: You understand that by discovery that
19 means that the government can make inquiry, legal inquiry, as
20 to the disposition of any of this property?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: When it says discovery, do you know that
23 discovery is a broad term?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: Do you know that discovery means more than

1 simply looking with one's eyes at something but discovery in
2 the legal context means that the government can pursue matters
3 of depositions, interrogatories, requests for admissions, et
4 cetera? There is a body of law that deals with discovery in
5 civil cases so that term has a special meaning in terms of
6 making an inquiry into the nature of something. Do you
7 understand that?

8 THE DEFENDANT: I understand.

9 THE COURT: Mr. Leland, did you explain all of this to
10 your client?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: So he understands that there could be some
13 depositions here, there could be some interrogatories here, et
14 cetera? He understands that?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: (d), the United States shall publish
17 notice of the order and its intent to dispose of the property
18 in such a matter as the United States Attorney General may
19 direct. The United States may also to the extent practical
20 provide written notice to any person known to have an alleged
21 interest in the subject property under federal criminal rules
22 of procedure 32.2(C)(1). Do you understand what all this
23 means?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: So then the government has to publish

1 notice if it wishes to dispose of any of this property, given
2 any interested person an opportunity to object to the
3 disposition of the property. Do you understand that?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: (e), any person other than the above-named
6 defendant asserting a legal interest in the subject property
7 may within 30 days of the final publication of notice or
8 receipt of notice, whichever is earlier, petition the court for
9 a hearing without a jury to adjudicate the validity of his
10 alleged interest in the subject property and for an amendment
11 of the order of forfeiture pursuant to 21 USC Section 853(n).
12 So any person other than you who claims an interest in any of
13 this property upon receiving notice can file an objection to
14 the government's disposition of this matter. Do you understand
15 that?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: They have 30 days of the final publication
18 of notice, or this hearing notice, whichever is earlier, to
19 petition the court for a bench hearing on the matter, that is,
20 a hearing before the judge. Do you understand that?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: The hearing will be before me, and I will
23 make the determination whether there should be an adjudication
24 in favor or not in favor of the person who's asserting an
25 interest in the property. Do you understand that?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: All of this would exclude you. Do you
3 understand that too?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: If pursuant to Federal Rule of Criminal
6 Procedure 32.27(b)(4)(A) this preliminary order of forfeiture
7 shall become final as to the defendant at the time of
8 sentencing -- there's a bracket -- or before sentencing if the
9 defendant consents -- closed bracket -- and shall be made part
10 of the sentence and included in the judgment if no third party
11 files a timely claim, this order shall become the final order
12 of forfeiture as provided by Federal Rule of Criminal Procedure
13 32.2(C)(2). Do you understand all of that?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: (g), any petition filed by a third party
16 asserting an interest in the subject property shall be signed
17 by the petitioner under penalty of perjury and shall set forth
18 the nature and extent of the petitioner's right, title, or
19 interest in the subject property, the time and circumstances of
20 the petitioner's acquisition of the right, title, or in the
21 subject property, any additional facts supporting the
22 petitioner's claim and the relief sought. All of that concerns
23 the right of any petitioner, that is, a third party who assert
24 a claim to any of this property. Do you understand that?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: (h), after the disposition of any motion
2 filed under Federal Rule of Criminal Procedure 32.2(c)(1)(A)
3 and before a hearing on the petition discovered may be
4 conducted in accordance with the Federal Rules of Civil
5 Procedure upon a showing that such discovery is necessary or
6 desirable to resolve factual issues. This is the same allusion
7 to discovery that I mentioned earlier. Do you understand that?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: (i), The United States shall have clear
10 title to the subject property following the court's disposition
11 of all third-party interests or if none following the
12 expiration of the period provided in 21 USC Section 853(n)(2),
13 which is incorporated by 18 USC Section 982(b),
14 31 USC Section 5317(c) and 5332 and 28 USC Section 2461(c) for
15 the filing of third-party petitions.

16 So you understand that the United States will have
17 clear title if I rule that no one has a claim or after someone
18 asserts the claim and successfully prevails on that then the
19 remaining property will be forfeited by the government? Do you
20 understand that?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Are you married?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: The court shall retain jurisdiction to
25 enforce this order and to amend it as necessary pursuant to

1 Federal Rule of Criminal Procedure 32.2(e)(2)(A). And there's
2 the signature of Mr. Hurst, Mr. McCrory, and Mr. Leland. Did
3 you follow me on all of this?

4 THE DEFENDANT: Yes, sir, I did.

5 THE COURT: So then, Mr. McCrory, your wife is not a
6 signatory to this document?

7 THE DEFENDANT: No, sir.

8 THE COURT: Okay. And, Mr. Hurst, you agree then that
9 the court will await to determine whether she is going to
10 assert an interest here?

11 THE DEFENDANT: Yes, Your Honor, the court will
12 waive -- my understanding from Mr. McCrory is there will be no
13 assertion of third-party right here.

14 THE COURT: Okay. Then the court will make the
15 determination as to these days elapsed and determine if anyone
16 has raised a claim.

17 MR. LELAND: Your Honor, I think there's -- from what
18 I understand, there is -- one of these condominiums is
19 50 percent owned by someone else. We have no idea. We have
20 not talked to him. We don't have any idea what he's going to
21 do.

22 THE COURT: Okay. I will await to determine what
23 course is taken should the court receive a third-party claim.
24 Meanwhile, the court is going to place on the record this
25 agreed preliminary order of forfeiture signed by the parties

1 and now signed by the court.

2 Mr. McCrory, I have adjudicated you guilty of Count
3 23, and I have told you when sentencing is going to be. And I
4 have advised you that at sentencing I will expect that you will
5 have read the presentence investigation report thoroughly and
6 discussed it thoroughly with your lawyer.

7 Now, then, I need to ask the prosecution what is its
8 stance on the continued liberty of the defendant at this point?

9 MR. HURST: Your Honor, the government has no
10 objection to this defendant continuing to remain on his current
11 bond.

12 THE COURT: Mr. Leland, are you making that motion for
13 your client to remain free on bond?

14 MR. LELAND: We so move, Your Honor, on his current
15 bond.

16 THE COURT: What is that bond?

17 MR. LELAND: 50,000 is my recollection, Your Honor.

18 THE COURT: And what is it? Cash? A surety? What is
19 it?

20 MR. LELAND: It's just a surety bond. He was never --
21 he never posted a bond. They didn't ask that he post it.

22 THE COURT: Okay. Mr. McCrory, I'm going to allow you
23 to remain free on bond, and whatever conditions and
24 restrictions now engulf you, you are still bound by those
25 conditions and restrictions. The court expects that you will

1 reappear in this courtroom on June 10, 2015, at 9:30 a.m.

2 Furthermore, the court is persuaded at this point that you will
3 not commit any additional crime. If you are not here at the
4 assigned time or if the government feels that you have violated
5 the conditions of your bond, then the government will have you
6 back here. Do you understand that?

7 THE DEFENDANT: I do.

8 THE COURT: Now, with regard to firearms, did you hear
9 what I told Mr. Epps concerning firearms?

10 THE DEFENDANT: I don't own any firearms.

11 THE COURT: All right. And then you can't possess
12 them or own them. Do you understand that?

13 THE DEFENDANT: I do.

14 THE COURT: And the firearm is a pistol, a rifle, a
15 shotgun, for whatever use you intend to make of it, whether
16 hunting, protection, or even gun collecting. This prohibition
17 also concerns ammunition, and this prohibition will last for
18 the rest of your life. And if it's disobeyed, then you'll be
19 back here and you could be subject to further discipline by the
20 court. Do you understand that?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Did I say it is for the rest of your life?

23 THE DEFENDANT: You did.

24 THE COURT: So then makes sure you remember that
25 because so many people do not. And that means that you cannot

1 actually possess a firearm, that is, have in your possession,
2 in your hand, on your person, but you can't even have it in a
3 car in which you're riding or in your house, because you have
4 control over your house and you have control over your car.

5 So any area over which you have control from which you
6 can readily obtain the firearm would an area that could be
7 deemed constructive possession and therefore chargeable to you
8 if a firearm is under your constructive possession. Do you
9 understand that?

10 THE DEFENDANT: I do.

11 THE COURT: Now, is there anything further from the
12 government?

13 MR. HURST: Not from the government, Your Honor.

14 THE COURT: Anything further, Mr. Leland?

15 MR. LELAND: Nothing from the defense, Your Honor.

16 THE COURT: Mr. McCrory, anything further from you?

17 THE DEFENDANT: No, sir.

18 THE COURT: I will see you all back here on June 10,
19 2015, at 9:30 in the morning.

20 MR. HURST: Thank you, Your Honor.

21 MR. LELAND: Thank you, Your Honor.

22 (Hearing Concluded)
23
24
25

CERTIFICATE OF REPORTER

I, CHERIE GALLASPY BOND, Official Court Reporter, United States District Court, Southern District of Mississippi, do hereby certify that the above and foregoing pages contain a full, true and correct transcript of the proceedings had in the aforementioned case at the time and place indicated, which proceedings were recorded by me to the best of my skill and ability.

I certify that the transcript fees and format comply with those prescribed by the Court and Judicial Conference of the United States.

This the 22nd day of February, 2016.

s/ *Cherie G. Bond*
Cherie G. Bond
Court Reporter